

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 5:89CV1988</b>
	)	
<b>PLAINTIFF,</b>	)	
	)	<b>JUDGE PETER C. ECONOMUS</b>
<b>v.</b>	)	
	)	
<b>INDUSTRIAL EXCESS</b>	)	
<b>LANDFILL, INC., <i>et al.</i>,</b>	)	
	)	
<b>DEFENDANTS.</b>	)	

<b>STATE OF OHIO, ex rel.,</b>	)	<b>CASE NO. 5:91CV2559</b>
<b>NANCY ROGERS,</b>	)	
<b>ATTORNEY GENERAL OF OHIO,</b>	)	
	)	
<b>PLAINTIFF,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>v.</b>	)	
	)	
<b>INDUSTRIAL EXCESS</b>	)	
<b>LANDFILL, INC., <i>et al.</i>,</b>	)	
	)	
<b>DEFENDANTS.</b>	)	
	)	

**ORDER**

The above-captioned matters are before the Court upon the Report and Recommendation of Magistrate Judge George J. Limbert. (Case No. 5:89CV1988, Dkt. # 672; Case No. 5:91CV2559, Dkt. # 163). Magistrate Judge Limbert, pursuant to an agreement of the parties, recommends that the Court dismiss with prejudice all remaining

cross-claims asserted by all Defendants, with each party to bear its own costs and attorney's fees in connection with such cross-claims.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that the parties are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Limbert (Case No. 5:89CV1988, Dkt. # 672; Case No. 5:91CV2559, Dkt. # 163) is hereby **ADOPTED**. All remaining cross-claims asserted by all Defendants are hereby **DISMISSED with PREJUDICE**, each party to bear its own costs and attorney's fees in connection with such cross-claims.

**IT IS SO ORDERED.**

/s/ Peter C. Economus – March 5, 2009  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**